

**IN THE DRAWINGS**

Please add FIG. 4A.

Attachment: Drawing Sheet labeled FIG 4A.

## **REMARKS**

By the *Office Action* of 20 March 2007, Claims 1-7, 9, and 11 are pending in the Application, and all rejected. By the present *Response and Amendment After Final Rejection*, Applicant cancels Claims 1-2, 4-5, 9 and 11 and amends Claims 3, 6, and 7. No new matter is introduced by the present *Response and Amendment After Final Rejection*. Applicant respectfully asserts that the amended claims are in condition for allowance and respectfully requests reconsideration of the claims in light of the following remarks.

### **1. Drawings**

The drawings are objected to under 37 CFR 1.83(a) for failure to show the concave portion described in the *Specification*. In the *Office Action*, the Examiner states that “it is not clear as to what is the concave region because the drawing clearly shows the distance region physically contacting the transition region with no other shaped region there between.” (Office Action at ¶ 1). Applicant thanks the Examiner for the detailed review of the drawings. Applicant hereby submits a supplemental drawing, Figure 4A. Supplemental Figure 4A provides an enlarged detail of the transition edge region 40, shown in Figure 4, to more clearly illustrate the elements of an exemplary embodiment of the transition edge region 40.

Applicant respectfully submits that supplemental Figure 4A does not present new matter and is fully supported by the *Specification* and original *Drawings*, as Figure 4A merely provides an enlarged view of elements illustrated in Fig. 4. Additionally, full and clear reference and description to the elements illustrated in Figure 4A, such as the distance surface 41 and concave portion 42, were contained within the original detailed description of the *Specification*. For example, the *Specification* provides:

[0034] According to an important aspect of the present invention, a distance surface 41 is located between the transition surface 17, **on an interior side**, and the pulley sheave contact surface 18, **on an exterior side**. The distance surface 41 in its entirety is situated below the supporting surface 16, and, in the shown example, extends substantially parallel to the supporting surface 16. Furthermore, the distance surface 41 is connected to the curved transition surface 17 through a concave portion 42, and to the pulley sheave contact surface 18 through a rounded off surface 43. In this example, the transverse element 10 is rounded off relatively sharply, wherein a relatively small rounding-off radius is applied, at the connection of the distance surface 41 to the pulley sheave

contact surface 18. This is not essential; the transverse element 10 may be rounded off less sharply than in the shown example at this connection of the distance surface 41 to the pulley sheave contact surface 18.

(*Specification*, ¶ 34). Thus, Applicant respectfully submits that supplemental Figure 4A does present new matter.

The Examiner states that the location of the concave region is not clear in the *Drawings*. Applicant respectfully submits that, in view of supplemental Figure 4A, the *Drawings* now clearly illustrate the concave portion 42 of an exemplary embodiment the transition edge region 40. Therefore, in accordance with 37 C.F.R. § 1.83, the *Drawings* clearly “show every feature of the invention specified in the claims.” Accordingly, withdrawal of the objection to the *Drawings* is respectfully requested.

## **2. *Specification***

Applicant respectfully submits that the amendments to the *Specification* provided by this *Response and Amendment After Final Rejection* have solely been provided to give reference to supplemental Figure 4A and the terms of orientation added to amended Claims 3, 6 and 7, as discussed below. Thereby, Applicant submits that the amendments to the *Specification* present no new matter.

## **3. *Rejection Of The Claims Under 35 USC § 112***

Claims 1-7, 9 and 11 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention.

Specifically, the Examiner states that it is not clear as to what is being referred to as the concave region, as “there is no curve that distinguished the concave region perpendicular to the belt running direction.” (Office Action at ¶ 3). The presently provided supplemental Figure 4A provides an enlarged illustration of the concave portion 42, which is located, as described in the *Specification*, between the curved transition surface 17 and the distance surface 41 in the exemplary embodiment depicted in supplemental Figure 4A. (*See e.g., Specification* at ¶ 34). Applicant respectfully submits that the concave portion is fully and clearly described and illustrated.

Furthermore, the Examiner states that the “phrase ‘first side’ and ‘second sides’ is confusing because it is not clear to how many first sides and second sides there are.” (Office Action at ¶ 3). In an effort to avoid indefiniteness and provide more clarity, Applicant has removed certain references to first and second sides in the amended Claims 3, 6, and 7 to recite terms of orientation, namely an exterior side and an interior side. These amendments to Claims 3, 6, and 7 remove indefiniteness without adding new matter. Accordingly, withdrawal of the rejection under 35 USC § 112, second paragraph, for Claims 3, 6, and 7 is respectfully requested. Accordingly, Applicant submits that Claims 3, 6, and 7 are in condition for allowance.

#### **4. Allowable Subject Matter**

Examiner states that Claims 3, 6 and 7 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for the indication of allowable subject matter.

In accordance with the Examiner’s indication of allowable subject matter, Applicant hereby amends Claims 3, 6, and 7 to incorporate all of the limitations of their respective base claims and any intervening claims. Furthermore, Applicant respectfully submits that the above described amendments to Claims 3, 6, and 7 overcome the rejections under 35 U.S.C. § 112, second paragraph. Accordingly, Applicant submits that Claims 3, 6, and 7 are in condition for allowance.

#### **5. Claim Rejections Under 35 USC § 102 and 103**

Claims 1-2, 9, and 11 are rejected under 35 USC § 102 and Claims 4-5 are rejected under § 103. Applicant respectfully disagrees with the rejections made, however, in an effort to move this case to issuance Applicant hereby cancels Claims 1-2, 4-5, 9, and 11. As such, Applicant reserves the right to present new or additional claims in this Application that have similar or broader scope as originally filed. Applicant also reserves the right to present additional claims in a later-filed application that have similar or broader scope as originally filed. Accordingly, any amendment, claim cancellation, or remark is not to be construed as abandonment or disclaimer of any subject matter. Further, Applicant does not concede or admit that any of the cited references are prior art and specifically reserves the right to later submit a declaration under 37 CFR §1.131

or §1.132 to remove any applied reference.

**6. MPEP § 713.04 Interview Summary**

Applicant thanks the Examiner with appreciation for the 20 July 2007 telephone interview. Examiner Marcus Charles and the undersigned participated in the interview. Objections to the Drawings and Claim Rejections Under § 112 were discussed during the interview. The Examiner made several suggestions for advancing the application toward allowance with respect to certain of the claims. If for any reason the Examiner does not consider the foregoing record complete and accurate, the Examiner is respectfully requested to contact the undersigned.

**7. Fees**

Other than the one-month petition for extension of time for which a petition for extension of time has been filed herewith, no other fees are believed due. Accordingly, Applicant authorizes the Commissioner to deduct the required \$120.00 one-month extension of time fee from Deposit Account No. 20-1507. If any additional fee is due, please charge any underpayment or credit any overpayment to Deposit Account No. 20-1507.

## **CONCLUSION**

By the present *Response and Amendment After Final Rejection*, the Application has been in placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.3695.

Respectfully submitted,

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on **20 July 2007**.

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